



UNITED STATES MARINE CORPS
III MARINE EXPEDITIONARY FORCE (FMF)
UNIT 35601
FPO AP 96382-5601

IN REPLY REFER TO

5354

CG

MAY 15 2023

From: Commanding General, III Marine Expeditionary Force
To: Files

Subj: ACKNOWLEDGEMENT OF FINAL REPORT OF INVESTIGATION INTO
PROHIBITED ACTIVITIES AND CONDUCT DASH CASE NUMBER
002023000082 SUBMITTED BY (b) (3) (A), (b) (6), (b) (7)(C) [REDACTED]
(b) (3) (A), (b) (6), (b) (7)(C) USMC

Ref: (a) MCO 5354.1F

1. Per the reference, the commander who convened the investigation is the decision authority for substantiating alleged prohibited activity and conduct. I have reviewed the contents concerning this command investigation and the Convening Authority's disposition. I concur with the Convening Authority's decision to not substantiate allegations of harassment.
2. I have directed the Equal Opportunity Advisor (EOA) to update the DASH as required and submit to Headquarters Marine Corps for closure.
3. The point of contact in this matter is the III MEF EOA (b) (3) (A), (b) (6), (b) (7)(C) [REDACTED]. He can be reached at (b) (3) (A), (b) (6), (b) (7)(C) [REDACTED] or email (b) (3) (A), (b) (6), (b) (7)(C) [REDACTED].

Copy to:
CO, III MIG
EOA, III MIG



UNITED STATES MARINE CORPS
III MEF INFORMATION GROUP
III MARINE EXPEDITIONARY FORCE, FMF
UNIT 35607
FPO AP 96385-5607

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5830
CO
9 May 23

MEMORANDUM FOR THE RECORD

Subj: DASH CASE 002023000082

Ref: (a) MCO 5354.1F

1. DASH Case 002023000082 did not meet the required timeline established by the reference for the following reasons:

- a. The complaint involved Marines from three different commands.
- b. The CI was sent to III MSB (Cpl Holland) and H&S Bn MCIPAC (b) (3) (A), (b) (6), (b) (7)(C) upon receipt of LSR and EOA AO on 14 April 2023.
- c. NAVMC 11512: III MIG adjudicated the allegations as unsubstantiated on 14 April 2023. However, (b) (3) (A), (b) (6), (b) (7)(C) was TAD to the Philippines.
- d. NAVMC 11513:

(1) III MIG adjudicated the allegations as unsubstantiated on 14 April 2023. However, (b) (3) (A), (b) (6), (b) (7)(C) was TAD to a Field Operation.

(2) III MSB adjudicated the allegations as unsubstantiated on 17 April 2023; however, Cpl Holland was TAD to the Philippines.

(3) H&S Bn MCIPAC adjudicated the allegations as unsubstantiated on 3 May 2023.

- e. All Marines signed the required NAVMC upon return from their respective TAD.
2. Due to operational requirements, a delay in the signature of the NAVMCs was inevitable.
3. The point of contact for this matter is the III Marine Expeditionary Force Information Group Adjutant at (b) (3) (A), (b) (6), (b) (7)(C)

(b) (3) (A), (b) (6), (b) (7)(C)

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APR 14 2023

FIRST ENDORSEMENT on (b) (3) (A), (b) (6), (b) (7)(C) CI 5830 IO of 7 Apr 23

From: Commanding Officer, III Marine Expeditionary Force Information Group
To: Commanding General, III Marine Expeditionary Force

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES
SURROUNDING PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN
CASE OF CORPORAL STEPHEN J. HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) AND
(b) (3) (A), (b) (6), (b) (7)(C) DASH
NUMBER 002023000082

1. Forwarded. I have thoroughly reviewed the enclosed command investigation and concur with the Investigating Officer opinions and recommendations in that the allegations against (b) (3) (A), (b) (6), (b) (7)(C) are unsubstantiated. I concur with the Staff Judge Advocate that because the allegations are unsubstantiated, there is no justification for Page 11.

2. Corporal Holland and (b) (3) (A), (b) (6), (b) (7)(C) are members of two different commands. A copy of the command investigation will be provided to the respective commanding officers for adjudication.

3. I recommend that DASH Case Number 002023000088 be closed with no further action.

4. The point of contact for this matter is the Equal Opportunity Advisor, (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C)

(b) (3) (A), (b) (6), (b) (7)(C)

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INFORMATION TO
5354
SJA
12 Apr 23

MEMORANDUM FOR THE RECORD

From: (b) (3) (A), (b) (6), (b) (7)(C) III MEF Assistant Operational Law Officer

To: Commanding Officer, III Marine Expeditionary Force Information Group

Subj: LEGAL SUFFICIENCY REVIEW OF THE COMMAND INVESTIGATION INTO
THE FACTS AND CIRCUMSTANCES SURROUNDING PROHIBITED ACTIVITIES
AND CONDUCT COMPLAINT IN CASE OF STEPHEN J. HOLLAND II

1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)

USMC, AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

Ref: (a) JAGINST 5800.7G

(b) MCO 5354.1F

(c) (b) (3) (A), (b) (6), (b) (7)(C) tr 5830/IO dtd 14 Mar 23

1. Per references (a) and (b), I have reviewed the subject command investigation, reference (c), for legal sufficiency. The sufficiency review is to determine whether: (1) the investigation complies with all applicable legal and administrative requirements; (2) the investigation adequately addresses the matters complained of; (3) the evidence supports the findings of the investigating officer; (4) the conclusions and recommendations of the investigating officer are consistent with the findings; (5) if any errors or irregularities exist, and, if so, their legal effect, if any.

2. I have reviewed the subject investigation, which complies with most applicable legal and administrative requirements. However, the investigation does not adequately address all matters in the complaint nor are the recommendations supported by the facts.

3. Specifically, I find the following:

a. Report enclosures are incomplete. The original complaint is not a part of the report. The complaint is the purpose of the investigation and should be (a) referenced in the report and (b) included as a reference.

b. Single Marine Program (SMP) incident. The victim in the SMP incident is never interviewed. The complaint, as laid out in paragraph 2 of the reference (c), states that the (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) and Corporal (Cpl) Holland were involved in an altercation with (b) (3) (A), (b) (6), (b) (7)(C) in which (b) (3) (A), (b) (6), (b) (7)(C) was allegedly called a "monkey." The witnesses claimed the incident was a misunderstanding, but the (b) (3) (A), (b) (6), (b) (7)(C) was never interviewed. (b) (3) (A), (b) (6), (b) (7)(C) could have corroborated the complainant's statement that a racist comment was made towards (b) (3) (A), (b) (6), (b) (7)(C) at the event.

Subj: LEGAL SUFFICIENCY REVIEW OF THE COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J. HOLLAND II
1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
USMC, AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

c. Recommendations are not supported by the facts/opinions. The IO is of the opinion that the complaint is unsubstantiated, but recommends (b) (3) (A), (b) (6), (b) (7)(C), (b) (3) (A), (b) (6), (b) (7)(C) and Cpl Holland receive page 11 counselings. Page 11 negative counselings, though administrative in nature, should be reserved for documenting misconduct which does not, yet, warrant non-judicial punishment or worse. By finding the complaint unsubstantiated the IO has not provided a justification for why the Marines should receive a page 11 counseling.

4. I concur with the finding that the Marines should receive additional PAC training. Additional PAC training is not a punishment, nor would it negatively impact their careers. It will impact their moral character by refocusing their moral compass on what is and is not appropriate or by reinforcing their understanding of what is or is not appropriate.

5. Additionally, I recommend the Marines be made aware that the PAC order is applicable on and/or off duty. Cpl Holland stated Marines, when out of uniform, have a right to say whatever they want, however they want. This is not true. The PAC order is not limited to servicemembers "while in uniform."

6. I recommend closing the investigation pursuant to this LSR and the command investigation report. Although, I find this investigation to be inadequate for the reasons above, I do not foresee further investigation changing the opinions or recommendations unless the IO can uncover screen shots of the SnapChat conversations and/or the victim in the SMP incident provides information which counter's the statements of the interviewees with such weight as to substantiate a complaint of harassment.

3. The point of contact for this matter is (b) (3) (A), (b) (6), (b) (7)(C) at (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C)



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IN REPLY REFER TO:

5354

EOA

11 Apr 23

From: Equal Opportunity Advisor, III Marine Expeditionary Force Information Group
To: Commanding Officer, 3d Radio Battalion

Subj: EQUAL OPPORTUNITY ADVISOR ADVISORY OPINION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING THE ALLEGED PAC VIOLATION FOR DASH CASE 002023000082

Ref: (a) MCO 5354.1F

1. As directed by the reference, an Equal Opportunity Advisor Advisory Opinion is required on the completed Command Investigation for DASH Case 002023000082. Upon receipt of the investigation on 7 April 2023, I conducted a review of the facts and circumstances surrounding the allegations in this case.

2. Issue: (b) (3) (A), (b) (6), (b) (7)(C) (Complainant) alleged that Corporal S.J. Holland, (b) (3) (A), (b) (6), (b) (7)(C), and (b) (3) (A), (b) (6), (b) (7)(C) (Subjects) used the word "monkey" as a racial slur against other Marines. The Complainant also alleged that the Subjects engaged in extremist behaviors by making gang-related jokes. The Complainant for this case is not a victim and reported the behaviors as a third party.

3. Order/Regulations: Reference (a) outlines that for violations to take place, the following definitions must be met:

a. Harassment: Any conduct, whereby a Service member knowingly, recklessly, or intentionally and with a nexus to military service engages in behavior that is unwelcome or offensive to a reasonable person that creates an intimidating, hostile, or offensive environment.

(1) Harassment may include, but is not limited to, unwanted physical contact; offensive jokes; epithets or name calling; ridicule or mockery; insults or putdowns; displays of offensive objects or imagery; offensive non-verbal gestures; stereotyping; intimidating acts; veiled threats of violence; threatening or provoking remarks; racial or other slurs; derogatory remarks about a person's accent or disability; displays of racially offensive symbols; and interference with work performance (to include unwillingness to train, evaluate, assist, or work with an individual).

(2) Harassment can occur in a variety of circumstances, including, but not limited to, the following: The harasser can be the victim's supervisor, a supervisor in another area, a coworker, or a Service member that is not part of the unit. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.

(3) Harassment can be oral, visual, written, physical, or electronic. Harassment can occur through electronic communications, including social media, other forms of communication, and in person. d. Harassment does not include: activities or actions undertaken for a proper military or governmental purpose, such as combat survival training, assignment of work related to the

Subj: EQUAL OPPORTUNITY ADVISOR ADVISORY OPINION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING THE ALLEGED PAC VIOLATION FOR DASH CASE 002023000082

duties and responsibilities of the Service member, and performance counseling. Moreover, this policy prohibiting harassment is not a “general civility code”. Behavior that is rude, ignorant, abrasive, or unkind, but does not adversely affect the work environment, is not harassment.

b. Dissident and Protest Activity

(1) Knowing and wrongful conduct that involves actively advocating supremacist, extremist, or criminal gang doctrine, ideology, or causes, including those that advance, encourage, or advocate illegal discrimination based on race, creed, color, sex (including pregnancy), religion, ethnicity, national origin, gender identity, or sexual orientation or those that advance, encourage, or advocate the use of force, violence, or criminal activity, or otherwise advance efforts to deprive individuals of their civil rights.

(2) Knowing and wrongful conduct that involves actively participating in criminal gangs, or in other organizations that advocate supremacist, extremist, or criminal gang doctrine, ideology, or causes; including those that attempt to create illegal discrimination based on race, creed, color, sex (including pregnancy), religion, ethnicity, national origin, gender identity, or sexual orientation; advocate the use of force, violence, or criminal activity; or otherwise engage in efforts to unlawfully deprive individuals of their civil rights. Active participation in such gangs or organizations is prohibited. Active participation includes, but is not limited to, fundraising; demonstrating or rallying; recruiting, training, organizing, or leading members; distributing material (including posting on-line); knowingly wearing gang colors or clothing; having tattoos or body markings associated with such gangs or organizations; or otherwise engaging in activities in furtherance of the objective of such gangs or organizations that are detrimental to good order, discipline, or mission accomplishment or are incompatible with military service. The prohibition extends to acts committed through electronic communication and social media, as well as in person and other means.

4. Application:

a. Were all accepted allegations of prohibited activity and conduct thoroughly addressed in the investigation? Yes. The accepted allegations of using racial slurs on various occasions and exhibiting gang-related behaviors were addressed by the Investigating Officer.

b. Does the investigation include a thorough review of the circumstances under which the alleged prohibited activity and conduct occurred? Yes. The Investigating Officer reviewed the circumstances of the allegations.

c. Did the investigation include an analysis of how the victim was treated compared to others within the complainant's demographic group and with those of other demographic groups? This question is not applicable to this case as the alleged victims stated they were not recipients of the behaviors alleged by the Complainant.

d. Is there any evidence of bias (a highly personal and unreasoned distortion of judgment) by the Investigating Officer? There is no evidence of bias from the Investigating Officer.

Subj: EQUAL OPPORTUNITY ADVISOR ADVISORY OPINION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING THE ALLEGED PAC VIOLATION FOR DASH CASE 002023000082

e. Is there any evidence the complainant rather than the alleged prohibited activity and conduct was investigated? There is no evidence that the complainant rather than the alleged prohibited activity and conduct was investigated.

5. The point of contact for this matter is the Equal Opportunity Advisor, (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C), at (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C).

4/11/2023

(b) (3) (A), (b) (6), (b) (7)(C)

Equal Opportunity Advisor

(b) (3) (A), (b) (6), (b) (7)(C)

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5830
IO
14 Mar 23

From: (b) (3) (A), (b) (6), (b) (7)(C) USMC
To: Commanding Officer, III Marine Expeditionary Force Information Group
Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING
PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J.
HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) USMC

Ref: (a) JAGMAN, Chapter II
(b) MCO 5354.1F, Marine Corps Prohibited Activities and Conduct
Prevention and Response Policy (PAC)

Encl: (1) Appointment Letter
(2) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)
(3) Summary of Interview of Corporal Holland II, Stephen J.
(4) Article 31 Rights (Advisement and Waiver) of Corporal Holland II,
Stephen J.
(5) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)
(6) Article 31 Rights (Advisement and Waiver) of (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C)
(7) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)
(8) Article 31 Rights (Advisement and Waiver) and statement of (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C)
(9) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)
(10) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)
(11) Summary of Interview of (b) (3) (A), (b) (6), (b) (7)(C)

Preliminary Statement

1. This reports completion of the command investigation in accordance with the references into the facts and circumstances surrounding the prohibited activities and conduct (PAC) complaint on 8 February 2023 that involved Corporal Stephen J. Holland II 1263779360/4751, (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) that was observed by (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the III MEF Communication Strategy and Operations (COMMSTRAT) command post. Corporal Stephen J. Holland II was interviewed at the Camp Courtney Library. (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the Camp Hansen Library. (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the Camp Foster Library. (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the Camp Courtney Education Center. (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the Camp Courtney Library. (b) (3) (A), (b) (6), (b) (7)(C) was interviewed at the Camp Courtney Library. All original logs of the investigation are kept in the 5th Air Naval Gunfire Liaison Company Supply office (Building 2213) with (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) who can be reached at (b) (3) (A), (b) (6), (b) (7)(C)

2. Corporal Stephen J. Holland II, (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) are alleged to have violated Article 92-

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING
PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J.
HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) USMC

Failure to obey an order or regulation, Uniform Code of Military Justice (UCMJ), specifically reference (b), by performing allegedly racially harassing behaviors and gang-extremist behavior on different occasions. Corporal Holland, (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) are suspected to have harassed (b) (3) (A), (b) (6), (b) (7)(C) by calling him a "monkey" and sending him the "monkey" emoji in a Snapchat group chat. All three Marines were also accused of saying racial slurs while in a vehicle on the way to Kadena Air Force Base, specifically, saying the N-word multiple times. The three Marines were also accused of calling another Marine a "monkey" in the Single Marine Program (SMP) Center on Camp Courtney, which almost led to a physical confrontation. (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) allegedly exhibited gang-extremist behaviors at the COMMSTRAT Schoolhouse (Fort Meade, Maryland), where they allegedly made gang/cartel-related jokes and displayed unprofessional conduct while at the schoolhouse per reference(b).

3. The following definitions for Harassment and Dissent and Protest Activity as set forth in reference (b) aided me in completing the opinions and recommendations:

a. Harassment. Any conduct, whereby a Service member knowingly, recklessly, or intentionally and with a nexus to military service engages in behavior that is unwelcome or offensive to a reasonable person that creates an intimidating, hostile, or offensive environment.

(1) Harassment may include, but is not limited to, unwanted physical contact; offensive jokes; epithets or name calling; ridicule or mockery; insults or putdowns; displays of offensive objects or imagery; offensive non-verbal gestures; stereotyping; intimidating acts; veiled threats of violence; threatening or provoking remarks; racial or other slurs; derogatory remarks about a person's accent or disability; displays of racially offensive symbols; and interference with work performance (to include unwillingness to train, evaluate, assist, or work with an individual).

(2) Harassment can occur in a variety of circumstances, including, but not limited to, the following:

(a) The harasser can be the victim's supervisor, a supervisor in another area, a coworker, or a Service member that is not part of the unit.

(b) The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.

(3) Harassment can be oral, visual, written, physical, or electronic. Harassment can occur through electronic communications, including social media, other forms of communication, and in person.

(4) Harassment does not include: activities or actions undertaken for a proper military or governmental purpose, such as combat survival training, assignment of work related to the duties and responsibilities of the Service member, and performance counseling. Moreover, this policy prohibiting harassment is not a "general civility code". Behavior

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING
PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J.
HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) USMC, AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

that is rude, ignorant, abrasive, or unkind, but does not adversely affect the work environment, is not harassment.

b. Dissident and Protest Activity. In accordance with this Order and reference (z), Service members are prohibited from the following:

(1) Knowing and wrongful conduct that involves actively advocating supremacist, extremist, or criminal gang doctrine, ideology, or causes, including those that advance, encourage, or advocate illegal discrimination based on race, creed, color, sex (including pregnancy), religion, ethnicity, national origin, gender identity, or sexual orientation or those that advance, encourage, or advocate the use of force, violence, or criminal activity, or otherwise advance efforts to deprive individuals of their civil rights.

(2) Knowing and wrongful conduct that involves actively participating in criminal gangs, or in other organizations that advocate supremacist, extremist, or criminal gang doctrine, ideology, or causes; including those that attempt to create illegal discrimination based on race, creed, color, sex (including pregnancy), religion, ethnicity, national origin, gender identity, or sexual orientation; advocate the use of force, violence, or criminal activity; or otherwise engage in efforts to unlawfully deprive individuals of their civil rights. Active participation in such gangs or organizations is prohibited. Active participation includes, but is not limited to, fundraising; demonstrating or rallying; recruiting, training, organizing, or leading members; distributing material (including posting on-line); knowingly wearing gang colors or clothing; having tattoos or body markings associated with such gangs or organizations; or otherwise engaging in activities in furtherance of the objective of such gangs or organizations that are detrimental to good order, discipline, or mission accomplishment or are incompatible with military service. The prohibition extends to acts committed through electronic communication and social media, as well as in person and other means.

4. All interviews were conducted based on the availability of the individual being interviewed.

Findings of Fact

1. All Marines in this investigation (b) (3) (A), (b) (6), (b) (7)(C) were identified as part of the snapchat groupchat. [Encl. 3, 9, 10]
2. The Snapchat group chat was mostly used to make plans for the Marines to hang out. [Encl. 3, 5, 10, 11]
3. The Marines in the group chat made it known that if anything they said offended their peers that they could speak openly and they would cease with that behavior. [Encl. 3, 5, 9, 10,]
4. The term "monkey" has been used in the group chat and was used by Corporal Holland, (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) [Encl. 2, 3, 5, 7, 10]

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HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) USMC, AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

5. A running joke in the group chat involved (b) (3) (A), (b) (6), (b) (7)(C), where they called him a grunt after he called himself a grunt for going on multiple exercises with 3dMarine Division. [Encl. 3, 9, 10, 11]

6. Neither (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) could provide additional information or evidence (such as screenshots) to show the alleged excessive racist behavior occurring in the group chat. [Encl. 9, 10]

7. (b) (3) (A), (b) (6), (b) (7)(C) was not offended by anything that has happened within the group chat and stated that most jokes are derived out of competitiveness based on who is doing more work in their shared military occupational speciality (MOS). [Encl. 10, 11]

8. Marines identified as having since left the group chat were (b) (3) (A), (b) (6), (b) (7)(C), (b) (3) (A), (b) (6), (b) (7)(C), (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) [Encl. 5, 9, 10, 11].

9. Corporal Holland, (b) (3) (A), (b) (6), (b) (7)(C), (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) went to a party aboard Kadena Air Force Base late December 2022. [Enc. 2, 3, 5, 7, 10]

10. With regards to the Kadena Air Force Base party incident, the three accused Marines remembered the encounter but did not have any recollection of any racial slurs being said at the time of leaving the party on the way back to the car to grab cokes out of Corporal Holland's car. [Encl. 2, 3, 5, 7]

11. All Marines involved knew of each other at the COMMSTRAT Schoolhouse. [Encl. 2, 3, 5, 7, 9, 10, 11]

12. There is no evidence of gang affiliation or unprofessionalism involving (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) at the COMMSTRAT Schoolhouse. No dates were specified behind the alleged incidents when they were at the COMMSTRAT Schoolhouse. [Encl. 3, 5, 7, 9, 10, 11, 12]

13. (b) (3) (A), (b) (6), (b) (7)(C) was the Marine directly involved in the confrontation at the SMP center on Camp Courtney; he stated there was a misunderstanding that was the result of a conversation, not from a Marine being called a "monkey". There was no date specified by any witnesses or the accused on when this incident took place. [Encl. 5, 9, 10]

Opinions

1. Investigation of the Kadena Air Force Base party incident did not result in any substantiated outcomes; this result was due to the passage of time since the incident. The accused and witnesses were either unable to recall the event or not having knowledge of the event. [FF (1), (12)]

2. The SMP Center incident seems to be an outlier incident, which I believe arose from a miscommunication of someone listening in on a conversation that they were not part of, and therefore misinterpreted what was being said. [FF (5)]

3. Not one Marine involved in this case could give any evidence regarding unprofessionalism or the gang affiliation for (b) (3) (A), (b) (6), (b) (7)(C) and

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING
PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J.
HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C), AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

(b) (3) (A), (b) (6), (b) (7)(C). Any jokes that neared the subject of gang affiliation (but did not meet the order's definition) were stated in interviews as to have been made by peers to describe their friend group or to describe what situations were like back in their hometowns. [FF (6)]

4. Some Marines have left the group chat. None of the Marines left the group chat due to perceived EOPAC violations however (i.e. feeling harassed or discriminated against). [FF (2), (3), (8)]

5. Most of the Marines involved in group chat had insulted one or another at some point, including both the witnesses and the accused. During the interview process, not one Marine seemed to think anything in their chat was offensive to anyone. A lot of the Marines involved appeared to see it as "boys being boys." While they had a disclaimer between everyone involved in the group chat to make it known if something offended another Marine, it does not absolve the behavior that was being displayed. [FF (4), (9), (10), (13)]

6. The Marines demonstrated "immaturity and poor judgement" in using the term "monkey" in the group chat, which has a derogatory and racist history. During the interviews, they admitted that this word with its history was a poor choice to use and is both unprofessional and offensive. [FF (4), (5), (9), (13)]

7. (b) (3) (A), (b) (6), (b) (7)(C) stated in his interview that (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) would have more information in regards to the group chat, but neither could provide any additional information. Information such as screenshots or screen records involving rhetoric in the group chat failed to prove any type of misconduct. I believe he made an assumption as to whether these Marines could provide evidence; but they were unable to do so. [FF (7)]

Recommendations

1. Based on the evidence gathered, interviews, statements, and findings of the investigation, Corporal Stephen Holland II, (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C), and (b) (3) (A), (b) (6), (b) (7)(C) did not violate the PAC order on the basis of harassment or on the basis dissident and protest activity based on gang affiliation.

a. Most of the alleged incidents of violating the PAC order were more of perception than reality and on the basis of facts the alleged acts of Harassment, Racial Discrimination, and gang/cartel-related jokes were not proven with even the alleged victim, (b) (3) (A), (b) (6), (b) (7)(C), claiming he was not being harassed or racially discriminated against. All other claims made by the Complainant were either debunked or there was not enough congruent telling of the same events from the witnesses or the accused.

b. I recommend that all three Marines attend a PAC class from the III MEF Equal Opportunity Representative and receive a Page 11 from their respective commands, specifically pertaining to reference (b) as it relates to all specific events listed by the complainant.

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING
PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT IN CASE OF STEPHEN J.
HOLLAND II 1263779360/4751 USMC, (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) AND (b) (3) (A), (b) (6), (b) (7)(C) USMC

2. The point of contact for this investigation is (b) (3) (A), (b) (6), (b) (7)(C)
(b) (3) (A), (b) (6), (b) (7)(C) who can be reached at (b) (3) (A), (b) (6), (b) (7)(C) or
(b) (3) (A), (b) (6), (b) (7)(C).

(b) (3) (A), (b) (6), (b) (7)(C)



UNITED STATES MARINE CORPS
III MEF INFORMATION GROUP
III MARINE EXPEDITIONARY FORCE, I MEF
UNIT 35607
TPO AP 96385-5607

IN REPLY REFER TO
5830
CO
14 Feb 23

From: Commanding Officer, III Marine Expeditionary Force Information Group
To: (b) (3) (A), (b) (6), (b) (7)(C) USMC

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES
SURROUNDING THE ALLEGATIONS OF VIOLATIONS OF THE PROHIBITED
ACTIVITIES AND CONDUCT PREVENTION AND RESPONSE POLICY IN DASH
CASE 002023000082

Ref: (a) JAGINST 5800.7G CH-1
(b) MCO 5354.1F

Encl: (1) NAVMC 11512 ICO (b) (3) (A), (b) (6), (b) (7)(C) USMC

1. Pursuant to Chapter II of reference (a), you are hereby appointed to conduct a command investigation into the facts and circumstances surrounding allegations contained DASH Case 002023000082 against Corporal Stephen Holland 1263779360/4571 USMC; (b) (3) (A), (b) (6), (b) (7)(C)

(b) (3) (A), (b) (6), (b) (7)(C) USMC; and (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) USMC.

2. Report your findings of fact, opinions, and recommendations in letter form by 14 March 2023, unless an extension of time is granted. If you have not previously done so, read Chapter II of reference (a) in its entirety before beginning your investigation.

3. If photographs or video recordings are included as part of the investigation, the following information should be included on the reverse side of the photograph, or label of the video recording: the hour and date they were taken; a brief description of the location or area photographed or recorded; the full name and rank of the photographer or videographer; the full names and addresses of persons present when the photographs or video were taken.

4. While assigned as the investigating officer, the conduct of this investigation will be your primary duty and will take precedence over all other duties until this investigation is completed.

5. You may seek legal advice during your investigation from the III Marine Expeditionary Force (MEF) Information Group (MIG) Legal Officer at (b) (3) (A), (b) (6), (b) (7)(C) or the III MEF Staff Judge Advocate's Office at (b) (3) (A), (b) (6), (b) (7)(C). You may also consult with the III MIG Equal Opportunity Advisor at (b) (3) (A), (b) (6), (b) (7)(C).

(b) (3) (A), (b) (6), (b) (7)(C)

ENCLOSURE (2)

Place: Camp Courtney, III MEF CE COMMSTRAT CP Conference Room

Date/Time: 20230216/0900

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: (b) (3) (A), (b) (6), (b) (7)(C) submitted the prohibited activities and conduct complaint. In the interview I start with a general question in the Marine's exposure to racist comments outside and within his time in the Marine Corps, which he said, "I grew up in the (b) (3) (A), (b) (6), (b) (7)(C) area Massachusetts. I went to a very divers school. I would hear the N-word a lot, but it was used by people of color, but they would not be using the Hard 'R'. "In the workplace not at all. Outside of work....." He added, "I heard it during one instance that I can recall and that's when we were leaving a house party on Kadena, and they just started spouting the word over and over again." Those Marines were Cpl Holland, (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C)

He explained the Kadena incident stating, "We were hanging out after the movie and Cpl Holland got a text. I can't remember if it was from (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) but, basically, they told Cpl Holland to show up at the party and he was my ride back, so I accompanied him, because I had no other way to get back. We went to the party. I do not recall what their ages are, but they were smoking cigarettes. After the party was over, we were heading back, but the party was still going on and (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) escorted us out, because they were friends of Cpl Holland. I can't remember if they started spouting it (N-Word) going to the car, but I do recall being at the passenger door and looking on as they spouted the N-Word, Hard 'R' over and over again. I was pretty shocked because this the first time I experienced Cpl Holland acting in this kind of manner. I entered the passenger seat and waited a little bit. They were saying their goodbyes or they were just having a conversation for a little bit and then we left from there." He decided not to confront the Marines at that moment and time and decided to hold onto to this information.

He also stated in the interview that (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) were belligerent at the schoolhouse. "They were actually very belligerent Marines at the schoolhouse and that's where I heard about their gang jokes. I haven't really communicated or talk to them out here much. They were extremely unprofessional at the schoolhouse." He then addressed Snapchat group chat. "It was a weird situation, because the marine who that has provided a lot of this information in terms of this group chat is still friends with the Marines involved and a lot of the witnesses like (b) (3) (A), (b) (6), (b) (7)(C). He is friends with them, so I think he feels like he just has to take it (Harassment) or he has come to accept it as reality." (b) (3) (A), (b) (6), (b) (7)(C) has also expressed remorse that he knows it is not ok and that he wants to leave the group chat. (b) (3) (A), (b) (6), (b) (7)(C) has already

ENCLOSURE (4)

left the group chat, but before he left the group chat, I think he has his own screenshots of various things, but not necessarily pertaining to the race stuff or the harassment. Apparently, they said a lot of things in that group chat just like racism and harassment but talk about like getting anything you want by talking to leadership privately (Fraternization).”

I asked if (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) had participated in the actions, he alleged. (b) (3) (A), (b) (6), (b) (7)(C) had spoken to (b) (3) (A), (b) (6), (b) (7)(C) about the group chat but and he said, “he never participated”. (b) (3) (A), (b) (6), (b) (7)(C) had also spoke to (b) (3) (A), (b) (6), (b) (7)(C) who said, “They all contributed to some degree”. Andrews still stated even with this conversation that he never did anything wrong. (b) (3) (A), (b) (6), (b) (7)(C) speculated (b) (3) (A), (b) (6), (b) (7)(C) believes because that the “monkey” comment is said so much that he does not feel like he contributed and is being dragged down by something he did contribute to. I asked if (b) (3) (A), (b) (6), (b) (7)(C) had tried to leave in the recent days or weeks. (b) (3) (A), (b) (6), (b) (7)(C) said he talked to (b) (3) (A), (b) (6), (b) (7)(C) two weeks before the date of this interview and said that he was going to try to leave but he does not know if he left or not. (b) (3) (A), (b) (6), (b) (7)(C) goes on to talk about a speculation of fraternization in the group chat as well where he gained secondhand knowledge from (b) (3) (A), (b) (6), (b) (7)(C) that there are things in the group chat “that aren’t just racism and harassment, they cross other lines as well.” He said that Cpl Holland has bragged about getting special treatment from Officers, NCOs, and the like, but gave no examples. Even with this secondhand knowledge he gave no examples.

We then talk about the screenshots that (b) (3) (A), (b) (6), (b) (7)(C) is said to have. He explains, (b) (3) (A), (b) (6), (b) (7)(C) takes screenshots whenever he feels like something is wrong, he occasionally takes screenshots.” He says he does not know what those screenshots are, and they could probably be of other things and not examples of Racial Harassment in the chat. I then ask about the gang related jokes at the schoolhouse. (b) (3) (A), (b) (6), (b) (7)(C) says all they did was make jokes but had no evidence nor gave examples of the gang related jokes. It was just something he heard. I then ask if there are any other times besides listed in the report that he saw these Marines doing or exhibiting any racist/harassment like behavior. He spoke about the SMP incident listed on the report regarding (b) (3) (A), (b) (6), (b) (7)(C) at the SMP and was unsure of which of the three Marines was the one that said the racist comment to (b) (3) (A), (b) (6), (b) (7)(C). He claims (b) (3) (A), (b) (6), (b) (7)(C) said he was willing to get into a physical altercation if it was said again to him. He knew every Marine involved in this case from the schoolhouse for COMMSTRAT. In different instances throughout the interview, he stated he knew each Marine involved except (b) (3) (A), (b) (6), (b) (7)(C) from the schoolhouse.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (2)

Place: Camp Courtney, Camp Courtney Library, Music Room

Date/Time: 20230216/1415

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview is for Cpl Stephen J. Holland II. He was read his article 31 rights before I began the interview and told the Marine of what he was being accused of. I asked Cpl Holland about the Kadena incident and if he remembers about it. Cpl Holland states, he does not recall the incident and walking back to his vehicle from the party. He does remember giving them two cokes from the back of his car but does not recall the racial slurs that (b) (3) (A), (b) (6), (b) (7)(C) claimed them to have said. He was hanging out with the complainant, and he received texts from one of the other two accused Marines asking him to come to the party to talk to someone on Kadena. He explains it was a ploy to get him to come out with them as at this time Cpl Holland was focusing on his mental health and was distancing himself from the other Marines in the group chat. When they left, he remembers talking about another Marine in California with (b) (3) (A), (b) (6), (b) (7)(C) and giving them the two cokes in his backseat, but still does not recall the racial slurs.

He is friends with (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) as he knew them at the schoolhouse. I asked if he had ever heard (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C) using any racial slurs here or at the schoolhouse where he states, "I know at the schoolhouse that their friend group were all people of color. So out of uniform I don't care what they say, they have a right to say it and how they want to say it. No matter what they say, people are going to say slurs based to their race. If they did say anything (which I can't recall) I would snap at them and say 'hey you can't say that.' Out of uniform though, if they did say anything I can't recall off the top of my head, but out of uniform I believe they can say what they want to say. Obviously be careful who you say it around, because it does affect people, but at the end of the day they are their own people."

I then move on to the snap chat group chat and ask about (b) (3) (A), (b) (6), (b) (7)(C) and his involvement in the so called Racial harassment that he and the two other Marines had been accused of toward (b) (3) (A), (b) (6), (b) (7)(C). To summarize his statement, he says that he could not recall these events of the top of his head. He then goes on to state that the word "Monkey" is a term that he uses to describe everybody and is a term he has used since he was in high school. He said that they would be "very careful" on who they would say it around or say it to anyone that would not say it back to them or did not realize it was a joke. He also states, "We all call each other that. That is something we have all come to say. Whether we mean it racially or non-racially. It is just us

ENCLOSURE (3)

being guys.” He says (b) (3) (A), (b) (6), (b) (7)(C) was part of the group chat and goes on to say that all the Marines in the group chat made it clear in multiple discussions that “No matter what we say, we all respect each other and if anything is truly bothering any of them to please say something, because at the end of the day we never wanted anything to go to this level.” He also brings up a time in the group chat where (b) (3) (A), (b) (6), (b) (7)(C) goes to the field so much that he can put together a 50 Caliber Machine Gun and they started the joke of “Oh so you’re a grunt huh?” towards (b) (3) (A), (b) (6), (b) (7)(C) which is not technically harassment or anything racial. It became a running joke in the group chat from that point forward. He also says that he was told not to leave the group chat and that it would look more suspicious if he left, which was one of the reasons, he stayed in the group chat.

It needs to be stated that they knew about the complaint as the Complainant had already been talking to other units about this situation and the complaint. Cpl Holland states, “We do know, and we all agreed it would be suspicious if we all start leaving the group chat.” His First Sergeant also had told him to stay in the group chat, but don’t say anything until the investigation is over.” I asked what he meant by this and he goes on to clarify that what the First Sergeant meant was for them to not be in contact with one another during the investigation basically giving them guidance. I then asked about the SMP Incident to see if Cpl Holland was involved. To summarize, Cpl Holland says that he does not recall this incident and that it could not have been him involved. Cpl Holland also says that he met all the Marines involved at the schoolhouse as well besides (b) (3) (A), (b) (6), (b) (7)(C)

I then asked about the claims of the complainant involving (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) where (b) (3) (A), (b) (6), (b) (7)(C) says he never participated in the alleged Racial harassment, while (b) (3) (A), (b) (6), (b) (7)(C) says everyone had participated. Cpl Holland says he had a discussion about policing their words as calling someone for example, “Monkey” in public can be perceived in the wrong way. When I asked him in terms of what he meant by “policing their words”, to summarize he says that he meant curse words as they are in a different country and somethings that maybe said in America would probably be best not to be said out here. He gave examples such as “Hell, Shit, Fuck.” They did this to acknowledge the fact that, “We know we are joking, and we hope that if one of us was taking this to heart, that they would say it to us that way we could back off so that we all could stay friends, but we want to patrol each other so this doesn’t happen where somebody thinks ‘oh he’s genuinely being racist.” For (b) (3) (A), (b) (6), (b) (7)(C), he really did not answer the question involving the alleged statement made by (b) (3) (A), (b) (6), (b) (7)(C). For the gang-related jokes at the schoolhouse, Cpl Holland could not recall the times of these jokes nor had any examples or evidence.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (3)

ARTICLE 31 RIGHTS

Name: Stephen Joshua Holland II Rank/Rate: Corporal
Activity: Videographer Unit: III MEF Commstrat
Telephone Number: +1 (863) 712-7633

I have been advised that I may be suspected of the offense(s) of: Racial Harassment in violation of the Prohibited Activity and Conduct order MCO 5354.1F and that:

- ☒ [X] I have the right to remain silent
- ☒ [X] Any statements I do make may be used as evidence against me in trial by court-martial.
- ☒ [X] I have the right to consult with legal counsel prior to any questioning. This legal counsel may be a civilian lawyer retained by me at my own expenses, a military lawyer appointed to act as my counsel without cost to me, or both.
- ☒ [X] I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview.
- ☒ [X] I have the right to terminate this interview at any time.

WAIVER OF RIGHTS

- ☒ [X] I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that:
 - ☒ [X] I expressly desire to waive my right to remain silent.
 - ☒ [X] I expressly desire to make a statement.
 - ☒ [X] I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to questioning.
 - ☒ [X] I expressly do not desire to have such a lawyer present with me during this interview.
 - ☒ [X] This acknowledgement and waiver of rights is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b) (3) (A), (b) (6), (b) (7)(C)

20230103
(Witness Signature & Date)

Stephen Joshua Holland II 20230103
(Member Signature & Date)

****Continued on next page (If statement provided)****

ENCLOSURE (1)

Place: Camp Hansen, Camp Hansen Library Reserved Room

Date/Time: 20230217/0900

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview was for the Marine (b) (3) (A), (b) (6), (b) (7)(C) who is accused of Racial Harassment in violation of PAC MCO 5354.1F. I asked (b) (3) (A), (b) (6), (b) (7)(C) about the Kadena party incident. To summarize his statements, he remembers Cpl Holland coming over for the party hanging out and getting the cokes from the back seat. He does not remember any racial slurs being said while going to the car, but he does not remember any racial slurs being said.

We then moved on to talk about the snapchat group and the alleged Racial Harassment of (b) (3) (A), (b) (6), (b) (7)(C). To summarize (b) (3) (A), (b) (6), (b) (7)(C) statements, he said there is a lot of joking back and forth but not a lot of people excessively using the term "Monkey" in the group chat. He states that he is no longer in the group chat and that a reason was people started getting frustrated for each other not wanting to go out and when Cpl Holland got selected for Corporal and other Marines were jealous of his selection. There are two group chats, where one is for hanging out and the other one was for working out.

I then proceeded to ask him if there was anything else within this group chat that may be against Marine Corps PAC order or anything that violates the UCMJ. (b) (3) (A), (b) (6), (b) (7)(C) explains that there is not and that most Marines in the group chat are really supportive and extremely friendly. He also states he knows all the Marines involved in this case from the COMMSTRAT schoolhouse. I then bring up the alleged statements that the complainant had brought in regard to (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) where (b) (3) (A), (b) (6), (b) (7)(C) says, everyone had a role to play in the group chat and LCpl Andrews says he had never participated in the racial harassment. In regard to (b) (3) (A), (b) (6), (b) (7)(C) comments (b) (3) (A), (b) (6), (b) (7)(C) in regard to his alleged comments says, "I feel like everyone that has been in it has said something that was messed up to someone else." He then says, "The idea was like if you can't take a joke, let someone know and then we just turn it down." He then explains an incident involving Cpl Holland where he separated from the group because everyone in the group was arguing, and that Cpl Holland was the main one doing it. He explained what was going on with him and they left him alone.

For (b) (3) (A), (b) (6), (b) (7)(C) alleged comments, (b) (3) (A), (b) (6), (b) (7)(C) refutes this alleged statement as he reiterates that everyone had partaken in the jokes in the group chat; he felt no one was

excluded from that. He does also state that he has no recollection of anything else of the group chat for fraternization regarding Cpl Holland. I also brought up the SMP incident on Camp Courtney to see if he had any knowledge on the incident where (b) (3) (A), (b) (6), (b) (7)(C) was allegedly called a "monkey" by someone. (b) (3) (A), (b) (6), (b) (7)(C) said that he does not know about this incident and that he was not there. I then go on to the complainant's statements on how (b) (3) (A), (b) (6), (b) (7)(C) and himself were unprofessional at the COMMSTRAT schoolhouse. To summarize his statements, he says they were always messing around and joking around with other Marines. He said they would trash talk a lot and that they probably were not the most professional. He also states that this behavior was only with other peers and not superiors. I moved on to the gang related jokes that allegedly could have gang activity related to them. (b) (3) (A), (b) (6), (b) (7)(C) goes on to state that their group was full of Hispanics and that they made jokes about their own group saying the example of "The Cartel has gotten together." He states there is no evidence actually showing actual gang behavior against them.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (5)

ARTICLE 31 RIGHTS

Name: (b) (3) (A), (b) (6), (b) (7)(C) Rank/Rate: (b) (3) (A), (b) (6), (b) (7)(C)
Activity: Combat Videographer Unit: III MIG Commstrat
Telephone Number: (b) (3) (A), (b) (6), (b) (7)(C)

I have been advised that I may be suspected of the offense(s) of: PAC violation and that:

- ☒ [x] I have the right to remain silent
- ☒ [x] Any statements I do make may be used as evidence against me in trial by court-martial.
- ☒ [x] I have the right to consult with legal counsel prior to any questioning. This legal counsel may be a civilian lawyer retained by me at my own expenses, a military lawyer appointed to act as my counsel without cost to me, or both.
- ☒ [x] I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview.
- ☒ [x] I have the right to terminate this interview at any time.

WAIVER OF RIGHTS

- ☒ [x] I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that:
 - ☒ [x] I expressly desire to waive my right to remain silent.
 - ☒ [x] I expressly desire to make a statement.
 - ☒ [x] I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to questioning.
 - ☒ [x] I expressly do not desire to have such a lawyer present with me during this interview.
 - ☒ [x] This acknowledgement and waiver of rights is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b) (3) (A), (b) (6), (b) (7)(C)

20210229

(Witness Signature & Date)



2023 02 29

(Member Signature & Date)

****Continued on next page (If statement provided)****

Understanding my rights under U.C.M.J. Article 31, I wish to make the following statement:

ENCLOSURE (6)

Place: Camp Foster, Camp Foster Library Reserved Room

Date/Time: 20230222/1400

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview is for (b) (3) (A), (b) (6), (b) (7)(C) who is one of the accused involving the PAC complaint of Racial Harassment. He was read his article 31 rights before the interview and was acknowledged of what he was being accused of. I start off by asking about the Kadena party incident to see if he recalls the events that happened that night. To summarize his statements, (b) (3) (A), (b) (6), (b) (7)(C) said he invited Cpl Holland to the party, and they had gotten bored which is when they escorted Cpl Holland and the complainant back to the car. He said that they had went to grab two cokes from Cpl Holland's back seat and that they engaged in simple conversation and there was nothing of a racial context in their conversation.

We then talked about the snapchat group chat and the alleged racial harassment of (b) (3) (A), (b) (6), (b) (7)(C). To summarize his statements, (b) (3) (A), (b) (6), (b) (7)(C) says the chat is used to see what people do on the weekend and He says they also used the word "Monkey" as a general term and not in a racial connotation. He says (b) (3) (A), (b) (6), (b) (7)(C) has never said he felt uncomfortable or offended about it or had an issue with it. (b) (3) (A), (b) (6), (b) (7)(C) also stated he has called (b) (3) (A), (b) (6), (b) (7)(C) and Cpl Holland the term "Monkey" before as well. He says they call each other terms and gave an example such as calling (b) (3) (A), (b) (6), (b) (7)(C) an "Albino Gorilla" because of how big he is.

I then talk about and ask about the incident at the SMP center on Camp Courtney. To summarize (b) (3) (A), (b) (6), (b) (7)(C) statements, he said he was the one who was involved in the incident, but he claims that he did not call anyone a monkey. He was speaking to someone else about the candy airheads about how much he liked them when he said, "you know there is some little slave child somewhere who made these in some foreign country." This where he said (b) (3) (A), (b) (6), (b) (7)(C) got up from hearing and asked him, "Yo what did you say?" To confront (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) said he got flustered and told him, "That's not what I meant." (b) (3) (A), (b) (6), (b) (7)(C) proceeds to ask him what he meant by it. (b) (3) (A), (b) (6), (b) (7)(C) says he explained to him why he did not say what (b) (3) (A), (b) (6), (b) (7)(C) thought he heard (b) (3) (A), (b) (6), (b) (7)(C) say. He could not give me what he had talked to (b) (3) (A), (b) (6), (b) (7)(C) in detail as he had forgotten the conversation (b) (3) (A), (b) (6), (b) (7)(C) says they shook on it after clearing up the misunderstanding and that (b) (3) (A), (b) (6), (b) (7)(C) jokingly said, "I was about to smack the shit out of you." He explains that in terms of an almost physical altercation, that was not the case. He also claims that (b) (3) (A), (b) (6), (b) (7)(C) and the complainant was there at the time of the incident.

ENCLOSURE (7)

I then ask about the unprofessionalism claim and the gang/cartel related jokes that they were accused of by the complainant. To summarize his statements, (b) (3) (A), (b) (6), (b) (7)(C) explains that his group was mostly Hispanics and that other peers used to call them the "213 cartel" since they would all hang out in the barracks room 213 together and during most of their time at the COMMSTRAT schoolhouse. Besides that, there was no evidence that they were actually involved in a gang; he was mostly jokes about the places they used to live where gang activity was normal. For unprofessionalism, (b) (3) (A), (b) (6), (b) (7)(C) did get called out by a Master Gunnery Sergeant for his hair, but besides that they were never really unprofessional. They were goofy with their peers, but also would correct their peers on custom and courtesies and other things.

I also ask about the alleged statement that (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) made. He confirmed the "Oh so you think you are a grunt huh?" joke but never really answered the claims made by the two Marines. (b) (3) (A), (b) (6), (b) (7)(C) said (b) (3) (A), (b) (6), (b) (7)(C) left because he wanted to focus on his writing course, and that (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) left as well. He says himself, (b) (3) (A), (b) (6), (b) (7)(C) and Cpl Holland are still in the chat. I then asked in regard to the complainant's claim to the alleged fraternization talked about in the snapchat group chat by Cpl Holland. (b) (3) (A), (b) (6), (b) (7)(C) says there was never anything like that in the group chat and he has never heard about this claim.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (7)

ARTICLE 31 RIGHTS

Name: (b) (3) (A), (b) (6), (b) (7)(C) Rank/Rate: (b) (3) (A), (b) (6), (b) (7)(C)
Activity: BROADCASTER Unit: AFN-OKINAWA
Telephone Number: (b) (3) (A), (b) (6), (b) (7)(C)

I have been advised that I may be suspected of the offense(s) of: Racial Harassment in violation of the Prohibited Activity and Conduct order MCO 5354.1F and that:

- ☒ I have the right to remain silent
- ☒ Any statements I do make may be used as evidence against me in trial by court-martial.
- ☒ I have the right to consult with legal counsel prior to any questioning. This legal counsel may be a civilian lawyer retained by me at my own expenses, a military lawyer appointed to act as my counsel without cost to me, or both.
- ☒ I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview.
- ☒ I have the right to terminate this interview at any time.

WAIVER OF RIGHTS

☒ I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that:

- ☒ I expressly desire to waive my right to remain silent.
- ☒ I expressly desire to make a statement.
- ☒ I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to questioning.
- ☒ I expressly do not desire to have such a lawyer present with me during this interview.
- ☒ This acknowledgement and waiver of rights is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of any kind having been used against me.

(b) (3) (A), (b) (6), (b) (7)(C)

(b) (3) (A), (b) (6)

2023 02 28
(Witness Signature & Date)

2023 02 28
(Member Signature & Date)

****Continued on next page (If statement provided)****

ENCLOSURE (1)

Place: Camp Courtney, Education Center Classroom

Date/Time: 20230223/1300

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview is for (b) (3) (A), (b) (6), (b) (7)(C) who was listed as a witness by the complainant in the alleged violation of the PAC order by three Marine peers. I ask the witness about the incident at the party on Kadena to see if he had knowledge or heard about the incident. To summarize (b) (3) (A), (b) (6), (b) (7)(C) statement, he said he had not heard about this incident at all and that he was not island when it occurred. I then go into the snapchat group chat, where the alleged racial harassment of (b) (3) (A), (b) (6), (b) (7)(C) had taken place. To summarize (b) (3) (A), (b) (6), (b) (7)(C) statements, he said he had not been in there for a while. He said he left the group chat due to a writing course he was taking and that the group chat was mostly for making plans together. In regard to the alleged racist harassment of (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) said he did not witness any of the examples of things listed by the complainant happening in the group chat. He said they would make fun of each other and "shoot the shit". The example he gave was when a member in the group got promoted, they made fun of him and teased him about it. I then tried to confirm the complainant alleged statement the (b) (3) (A), (b) (6), (b) (7)(C) had told him that he had never participated in the racial harassment within the group chat. He then goes on to state that the complainant was never in that group chat, not really answering my question.

I then asked if he had screenshots of the group chat, which is what the complainant said he believed (b) (3) (A), (b) (6), (b) (7)(C) did have. (b) (3) (A), (b) (6), (b) (7)(C) says he has no screenshots of the group chat as evidence of the racial harassment or any screenshots at all. (b) (3) (A), (b) (6), (b) (7)(C) confirmed the "Oh you think you're a grunt huh?" joke and that everyone in the group chat tried to ensure that if anything upset another Marine, they would want them to bring it up and establish boundaries. He also claims that if he had seen anything that was over the line, he would have put a stop to it then and there.

I then asked (b) (3) (A), (b) (6), (b) (7)(C) about the SMP Center incident on Camp Courtney and asked if he had any knowledge of the incident or if he was there that day. To summarize his statements, he was there that day and said the conversation was over candy and that (b) (3) (A), (b) (6), (b) (7)(C) overheard something as they walked into the kitchen from the main room and that there was a misunderstanding of what was being said. (b) (3) (A), (b) (6), (b) (7)(C) also claims he does not remember what was said, but that (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) shook hands and cleared up the misunderstanding. I moved on to the schoolhouse to ask about the unprofessionalism and gang related jokes of (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C). (b) (3) (A), (b) (6), (b) (7)(C) says he did not see

any unprofessionalism regarding the two Marines as he was in a leadership billet at the schoolhouse with these two Marines. He also has never heard about any of the cartel/gang related jokes that the complainant talks about either. He also said he knew all of the Marines involved in this case from the schoolhouse.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

Place: Camp Courtney, Library Reserved Room

Date/Time: 2023024/1000

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview is for (b) (3) (A), (b) (6), (b) (7)(C) who was listed as a witness by the complainant in regard to three Marines accused of a PAC violation in the form of racial harassment. I started with a general question asking if (b) (3) (A), (b) (6), (b) (7)(C) had been exposed to any sort of racist or harassment, like behavior through his childhood and his time in the Marine Corps. To summarize his statement, he explained that sometimes the Marine Corps you would hear “questionable” things that raise your eyebrows. He gave the examples of how “they” would just use the word “Monkey” quite a bit which at first, he said was questionable, but after being around them for a certain period of time, he realized it was something that they just used normally to refer to one another. Even still, (b) (3) (A), (b) (6), (b) (7)(C) claimed that himself or (b) (3) (A), (b) (6), (b) (7)(C) never used the term because they understood how it could be perceived. For the people he was referring to, he gave names such as Cpl Holland, (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C).

From that, I go straight into the snapchat group chat and the alleged racial harassment of (b) (3) (A), (b) (6), (b) (7)(C). To summarize his statement, he said that this was not necessarily the case. He remembers an instance where (b) (3) (A), (b) (6), (b) (7)(C) had called himself a grunt and it came from competitiveness since they work at III MARDIV and go on more exercises. He basically explained that (b) (3) (A), (b) (6), (b) (7)(C) and Cpl Holland began to make fun of him due to this, as he called himself a grunt where he confirmed the “oh so you think you’re a grunt huh? Joke. He said it had gotten to the point where they said the same thing about (b) (3) (A), (b) (6), (b) (7)(C) because (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) are part of the same unit. He also said he turned the chat off during that time as he knew what was going to happen due to (b) (3) (A), (b) (6), (b) (7)(C) statement. (b) (3) (A), (b) (6), (b) (7)(C) claims that he only ever used the chat for advice or to find a workout partner. He claims to have also never seen anything in the chat that was abhorrent or could make any Marine in there feel uncomfortable. (b) (3) (A), (b) (6), (b) (7)(C) confirms that he had left the group chat and that it was due to the constant notifications that annoyed him that made him end up leaving.

I then asked him to confirm or deny the complainant’s alleged statement from (b) (3) (A), (b) (6), (b) (7)(C) that he said that everyone in the group chat had partaken in the racial harassment in the group chat. (b) (3) (A), (b) (6), (b) (7)(C) illustrates that everyone in that group chat made fun of each other and that it was equally distributed to everyone. He says, “I mean it’s a bunch of guys you have to defend yourself.” He did say the one example he had that could be perceived as racial harassment was

ENCLOSURE (10)

that (b) (3) (A), (b) (6), (b) (7)(C) had once called him an "Albino Gorilla". He knew all the Marines involved from the schoolhouse as well.

I proceeded to ask about (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) about the unprofessionalism and the gang/carter related jokes at the schoolhouse. To summarize (b) (3) (A), (b) (6), (b) (7)(C) statements, he said the only thing they were really hit on for professionalism was their haircuts, but besides that, nothing. He claimed outside of the schoolhouse they were goofballs. There was never anything evidential to give on the gang/cartel jokes nor anything to help show any gang affiliation for (b) (3) (A), (b) (6), (b) (7)(C) or (b) (3) (A), (b) (6), (b) (7)(C). I asked if he had any information or evidence proving any of the allegations that the complainant had alleged the three accused Marines of doing. (b) (3) (A), (b) (6), (b) (7)(C) stated that he did not know what the complainant would be referring to and that he had no such information. (b) (3) (A), (b) (6), (b) (7)(C) did not recall anything nor ever heard about the alleged Kadena incident. He did say he was at the same party that (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) were at. He then left to go to a different party after (b) (3) (A), (b) (6), (b) (7)(C) had texted Cpl Holland to come to the Kadena party. I also brought up the SMP center incident on Camp Courtney and he had no knowledge of this incident even though he went to the SMP center frequently due to Cpl Holland volunteering there.

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (1)

Place: Camp Courtney, Camp Courtney Library Reserved Room

Date/Time: 20230217/1300

Purpose of the Interview: Pursuant to assigned command investigation into the facts and circumstances surrounding a prohibited activities and conduct complaint alleging that Marines Corporal Stephen J. Holland II assigned to III MEF CE COMMSTRAT, (b) (3) (A), (b) (6), (b) (7)(C) assigned to Armed Force Network (AFN), and (b) (3) (A), (b) (6), (b) (7)(C) assigned to III MIG COMMSTRAT, violated MCO 5354.1F on racial harassment on multiple occasions.

Summary of Interview: This interview was for (b) (3) (A), (b) (6), (b) (7)(C) as a witness listed by the complainant for the Racial Harassment in the Prohibited, Activities, and Conduct Complaint. (b) (3) (A), (b) (6), (b) (7)(C) was the one allegedly the victim of the Racial Harassment. I ask him about the group chat to get his side. To summarize his statement, he explains that the jokes in the group chat are more of a "who does more type of thing". He explains the "You think you are a grunt joke huh?" Joke again. He says that they never called him a monkey or anything out of proportion. I failed to ask what he meant by "out of proportion" as it was a very ambiguous answer. He did concur and confirm that Cpl Holland does call everyone "Monkey", but he does not mean it in a "racial way". He could not confirm Cpl Holland's statement on whether everyone says "Monkey" in the group chat, but he did say things like that catch on and stick quick in the group chat if it is used enough. On the alleged comments from the complainant that he said came from (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) explains that (b) (3) (A), (b) (6), (b) (7)(C) did not really get involved in the group chat and explained that (b) (3) (A), (b) (6), (b) (7)(C) stayed out of most conversations happening in the group chat. He did not confirm or deny the alleged statement made by (b) (3) (A), (b) (6), (b) (7)(C) and left it in the air as he seemed unsure of what (b) (3) (A), (b) (6), (b) (7)(C) meant by that. When it came to leaving the group chat, (b) (3) (A), (b) (6), (b) (7)(C) (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) were confirmed to have left the chat. (b) (3) (A), (b) (6), (b) (7)(C) said he left when he got word of the command investigation and when he checked the chat and saw that five people before him had already left. Besides the other two Marines and himself, he did not state who else had left the group chat.

I asked (b) (3) (A), (b) (6), (b) (7)(C) about the alleged unprofessionalism of (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) at the COMMSTRAT schoolhouse. He also knows all the Marines involved from the schoolhouse as well. To summarize, (b) (3) (A), (b) (6), (b) (7)(C) says that they were goofballs but were very professional at the schoolhouse such as correcting their peers and getting them in order. (b) (3) (A), (b) (6), (b) (7)(C) and (b) (3) (A), (b) (6), (b) (7)(C) were the ones doing it. I then asked about the Gang/Cartel related jokes. To summarize, (b) (3) (A), (b) (6), (b) (7)(C) explained that it was mostly due to music that Marines would listen to and be rapping the words and that that action was probably mistaken for these jokes. Otherwise as a witness, he had no evidence or anecdotal experiences to back up the complainant's claims. I asked (b) (3) (A), (b) (6), (b) (7)(C) about the Fraternization claim made by the complainant. (b) (3) (A), (b) (6), (b) (7)(C) pretty much explained that the claim was not found in any truth and that it was more down to what type of job you have in the shop. (b) (3) (A), (b) (6), (b) (7)(C) explains that it dealt with which MOS in the shop was being focused on more, which he believes is what could have been seen as the fraternization that the complainant was referring to.

ENCLOSURE (1)

(b) (3) (A), (b) (6), (b) (7)(C)

SIGNATURE/PRINTED NAME

ENCLOSURE (1)